

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**RICHARD J. FRIEDMAN, JR. as  
Administrator of the Estate of  
Michael Bratek, Deceased,**

**Plaintiff,**

**v.**

**Case No. 2:09-CV-0749**

**JUDGE EDMUND A. SARGUS, JR.**

**MAGISTRATE JUDGE TERENCE P. KEMP**

**CASTLE AVIATION, et al.,**

**Defendants.**

**ORDER**

This matter is before the Court for consideration of two motions: (1) Motion of Defendant Cessna Aircraft Company to Dismiss Plaintiff's Second Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(6) (Doc. 81); and (2) Unopposed Motion of Defendant Cessna Aircraft Company for an Extension of Time to Respond to Plaintiff's Response in Opposition to Motion to Dismiss Plaintiff's Second Amended Complaint (Doc. 94).

These motions were filed before Plaintiff Richard J. Friedman, Jr. filed his Third Amended Complaint (Doc. 100). Accordingly, the above-mentioned motions (Docs. 81 and 94) are **DENIED as MOOT.**

**IT IS SO ORDERED.**

11-9-2011  
**DATED**

  
**EDMUND A. SARGUS, JR.  
UNITED STATES DISTRICT JUDGE**